



Your Missouri Courts

Case.netSearch for Cases by: [Judicial Links](#) | [eFiling](#) | [Help](#) | [Contact Us](#) | [Print](#)[GrantedPublicAccess](#) [Logoff](#) [ACMOORKAMP](#)

21SL-CC04674 - NICHOLAS TAYLOR ET AL V CLARK EQUIPMENT COMP ET AL (E-CASE)

Case FV	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
-------------------	--------------------------------	-----------------------	---	----------------------------	--------------------	--	------------------------	--------------------------------

[Click here to eFile on Case](#)

Sort Date Entries:

☐ Descending
☒ Ascending

Display Options:

[Click here to Respond to Selected Documents](#)**10/01/2021** ☐ **Judge Assigned**☐ [Pet Filed in Circuit Ct](#)

PETITION.

Filed By: DANIEL THOMAS RYAN**On Behalf Of:** NICHOLAS TAYLOR, MELINDA TAYLOR☐ **Filing Info Sheet eFiling****Filed By:** DANIEL THOMAS RYAN**10/04/2021** ☐ **Judge/Clerk - Note**

NO SUMMONS ISSUED DUE TO MISSING SERVICE FEES OR SPECIAL PROCESS SERVER FORM. SERVICE FEE = \$36.00 PER DEFENDANT WITH A ST. LOUIS COUNTY ADDRESS. PLEASE E-FILE A SERVICE MEMO WITH THE MISSING SERVICE FEES ATTACHED. -NO SUMMONS ISSUED

10/05/2021 ☐ [Memorandum Filed](#)

Memo re Summons.

Filed By: DANIEL THOMAS RYAN**On Behalf Of:** NICHOLAS TAYLOR, MELINDA TAYLOR☐ **Note to Clerk eFiling****Filed By:** DANIEL THOMAS RYAN**01/10/2022** ☐ [Summons Issued-Circuit](#)

Document ID: 22-SMCC-331, for CLARK EQUIPMENT COMPANY. Summons Attached in PDF Form for Attorney to Retrieve from Secure Case.Net and Process for Service.

☐ [Summons Issued-Circuit](#)

Document ID: 22-SMCC-332, for SIEVERS EQUIPMENT COMPANY. Summons Attached in PDF Form for Attorney to Retrieve from Secure Case.Net and Process for Service.

01/20/2022 ☐ [Corporation Served](#)

Document ID - 22-SMCC-331; Served To - CLARK EQUIPMENT COMPANY; Server - CT CORP; Served Date - 20-JAN-22; Served Time - 00:00:00; Service Type - Territory 30; Reason Description - Served; Service Text - LC

☐ [Corporation Served](#)

Document ID - 22-SMCC-332; Served To - SIEVERS EQUIPMENT COMPANY; Server - CT CORP; Served Date - 20-JAN-22; Served Time - 00:00:00; Service Type - Territory 30; Reason Description - Served; Service Text - LC

ST. LOUIS COUNTY CIRCUIT COURT
STATE OF MISSOURI

NICHOLAS TAYLOR & MELINDA TAYLOR)	
Missouri residents)	
)	
Plaintiffs.)	
)	
V.)	JURY TRIAL DEMANDED
)	
CLARK EQUIPMENT COMPANY,)	
D/B/A BOBCAT COMPANY,)	
A Delaware Corporation)	
)	
SERVE:)	
The Corporation Company)	
One South Central Ave.)	
Clayton, Missouri 63105)	
)	
And)	
)	
SIEVERS EQUIPMENT COMPANY)	
An Illinois Corporation)	
)	
SERVE:)	
Business Filings International, Inc.)	
120 South Central Ave.)	
Clayton, Missouri 63105)	
)	
And)	
)	
BRIAN ROZIER,)	
A Missouri citizen and resident)	
HOLD SERVICE)	
)	
Defendants.)	

PETITION

COUNT I – STRICT LIABILITY

Comes now plaintiffs, Nicholas and Melinda Taylor and for Count I of their cause of action against defendant Clark Equipment Company D/B/A Bobcat Company and Sievers Equipment Company state as follows:

1. Plaintiffs Nicholas Taylor and Melinda Taylor are now and were at all times herein mentioned residents and citizens of the State of Missouri. Plaintiff Nicholas Taylor's injuries as more fully described below were sustained in the County of St. Louis, State of Missouri therefore jurisdiction and venue are proper in the Circuit Court of the County of St. Louis, State of Missouri. Defendant Brian Rozier is and was at all times herein mentioned a citizen and resident of the State of Missouri and therefore there is no diversity of citizenship.

2. Defendant Clark Equipment Company (hereinafter referred to as Defendant Clark) is and was at all times herein mentioned a duly organized and existing corporation under the laws of the state of Delaware, registered to do business in the state of Missouri, and was doing business designing, manufacturing, renting and selling the Bobcat Skid Steer Loader, Model T750, Serial Number AFT612294, manufactured and sold in 2013 that was involved in this incident.

3. Defendant Sievers Equipment Company is and was at all times herein mentioned a corporation organized and existing under the laws of the State of Illinois and was doing business in designing, manufacturing, renting and selling the Bobcat Skid Steer Loader, Model T750, Serial Number AFT612294, manufactured and sold in 2013 that was involved in this incident.

4. Defendant Brian Rozier was at all times herein mentioned the operator of the Bobcat Skid Steer Loader, Model T750, Serial Number AFT612294 that was involved in this incident.

5. On or about October 5, 2016, Plaintiff Nicholas Taylor was working as a laborer in conjunction with Defendant Brian Rozier who was operating the aforementioned Bobcat. They were working in unison doing what is known as grading a hole in what has been described as a very tight area. Plaintiff was walking behind the Bobcat and going back and forth behind the

Bobcat assisting in shoveling, cutting, and grading the hole. Plaintiff and Defendant Rozier had developed a cadence where the operator would go forward and reverse at predictable times. As plaintiff was waiting for Defendant Rozier to move forward as Plaintiff expected, Defendant Rozier instead went in reverse and struck Plaintiff's right leg causing him serious injuries more fully described below. Defendant Rozier could not see plaintiff. Although the Bobcat was equipped with a backup horn there was not enough time for Plaintiff to avoid being struck. The Bobcat was not equipped with a backup camera which would have allowed Defendant Rozier to see Plaintiff and prevented his injuries.

6. At the time the Bobcat as aforementioned was designed, manufactured, rented, and sold by Defendants Clark and Sievers, the Bobcat was then in a defective condition and unreasonably dangerous when put to a reasonably anticipated use in that the Bobcat was not equipped with a system that would allow the operator to see behind adequately, including lacking a backup camera system, to prevent the collision sustained by Plaintiff. Such a defective and dangerous condition caused plaintiff Nicholas Taylor to be struck by the Bobcat and sustain injuries as more fully set out below.

7. The Bobcat referred to above was used by Defendant Rozier and Plaintiff Nicholas in a manner reasonably anticipated by defendants.

8. As a direct and approximate result of the defective and unreasonably dangerous condition of the Bobcat designed, manufactured, sold, and rented or otherwise placed in the stream of commerce by defendants plaintiff Nicholas Taylor has been caused to sustain the following damages to wit:

Plaintiff Nicholas Taylor sustained injuries to his right and left leg, right hip and left hip/thigh, low back and a crush injury to the right leg causing compartment syndrome with 3 surgical repairs

including fasciotomies with placement of wound vacs, and incision and drainage procedures followed by a closure of the fasciotomy incisions; chronic right leg neuropathic pain syndrome with equinus contracture of the right foot; and left hip/thigh pain secondary to trochanteric bursitis, iliotibial band syndrome, and meralgia paresthetica secondary to abnormal weight bearing; plaintiff has incurred medical expenses to date and continues and will continue to incur medical expenses for continuing care in the future; and plaintiff Nicholas Taylor's ability to work, labor, and enjoy life has been significantly impaired and diminished.

WHEREFORE plaintiff prays judgment against defendants, and each of them, in an amount which is fair and reasonable in excess of \$25,000.00 plus any further relief the Court deems just and proper.

COUNT II – STRICT LIABILITY FAILURE TO WARN

Comes now plaintiffs, Nicholas and Melinda Taylor and for Count II of their cause of action against defendant Clark Equipment Company D/B/A Bobcat Company and defendant Sievers Equipment Company and state as follows:

9. Plaintiff reincorporates and re-alleges paragraphs 1-8 of his petition as fully set forth herein.

10. At the time the Bobcat was designed, manufactured, rented and sold by defendants, Clark Equipment Company and Sievers Equipment Company, the Bobcat was then in a defective condition and unreasonably dangerous when put to a reasonably anticipated use in that the Bobcat was not equipped with a system that would allow the operator to see behind adequately, including lacking a backup camera system, to prevent the collision sustained by Plaintiff. Such a defective and dangerous condition caused plaintiff Nicholas Taylor to be struck by the Bobcat and sustain injuries as stated in Paragraph 8 above.

11. That defendants and each of them did not give adequate warning of the dangerous condition of the Bobcat as aforesaid.

12. That plaintiff was using the Bobcat in a manner reasonably anticipated by defendants and each of them and as a direct and proximate result of the Bobcat being sold without an adequate warning, plaintiff sustained damages as set forth in Paragraph 8 above.

WHEREFORE plaintiff prays judgment against defendants, and each of them, in an amount which is fair and reasonable in excess of \$25,000.00 plus any further relief the Court deems just and proper.

COUNT III – NEGLIGENCE

Comes now plaintiffs, Nicholas and Melinda Taylor and for Count III of their cause of action against defendant Clark Equipment Company D/B/A Bobcat Company and state as follows:

13. Plaintiff reincorporates and re-alleges paragraphs 1-12 of his petition as fully set forth herein.

14. The above mentioned Bobcat was defective and unreasonably dangerous at the time it was designed, manufactured, rented, and sold by defendants in that the Bobcat was insufficiently designed and/or manufactured so that it would allow the operator to adequately see behind him so as to avoid the collision that occurred as aforesaid and causing sustaining severe injuries to Plaintiff as described in paragraph 8 above.

15. That defendants knew or should have known of the dangerous condition of the Bobcat and had no reason to believe that plaintiff would have realize the dangerous condition of the Bobcat.

16. That Defendants failed to use ordinary care to either design the Bobcat to be reasonably safe or defendants failed to use ordinary care to warn plaintiff and others of the risk

and hazardous condition of the Bobcat as aforesaid and as a direct and proximate result of defendants' negligence plaintiff has sustained damages as set forth in paragraph 8 above.

WHEREFORE plaintiff prays judgment against defendants, and each of them, in an amount which is fair and reasonable in excess of \$25,000.00 plus any further relief the Court deems just and proper.

COUNT IV – NEGLIGENCE DEFENDANT ROZIER

Comes now plaintiffs, Nicholas and Melinda Taylor and for Count IV of their cause of action against defendant Rozier and state as follows:

17. Plaintiff reincorporates and re-alleges paragraphs 1-16 of his petition as fully set forth herein.

18. On or about October 5, 2016, Plaintiff Nicholas Taylor was working as a laborer in conjunction with Defendant Brian Rozier who was operating the aforementioned Bobcat. They were both working for their employer Tarlton Construction. Plaintiff and Defendant Rozier were working in unison doing what is known as grading a hole in what has been described as a very tight area. Plaintiff was walking behind the Bobcat and going back and forth behind the Bobcat assisting in shoveling, cutting, and grading the hole. Plaintiff and Defendant Rozier had developed a cadence where the operator would go forward and reverse at predictable times. As plaintiff was waiting for Defendant Rozier to move forward as Plaintiff expected, Defendant Rozier instead went in reverse and struck Plaintiff's right leg causing him serious injuries more fully described in Paragraph 8. Defendant Rozier could not see plaintiff. Although the Bobcat was equipped with a backup horn there was not enough time for Plaintiff to avoid being struck. The Bobcat was not equipped with a backup camera which would have allowed Defendant Rozier to see Plaintiff and prevented his injuries.

19. At the time Defendant Rozier was operating the Bobcat he had a duty to exercise ordinary care and operate the Bobcat in such a manner as to not endanger the property or the life or limb of any person.

20. Defendant Rozier, as a co-employee of Plaintiff, had a further duty to exercise ordinary care so as not to expose his co-employees including plaintiff to an unreasonable risk of foreseeable harm.

21. Defendant Rozier breached his duty of care by acting in one or more of the following ways which purposefully and dangerously caused or increased the risk of injury to Plaintiff:

- a.). Backing the Bobcat he was operating into Plaintiff and striking him;
- b.) Not looking behind to determine the location of Plaintiff before operating the Bobcat and moving in reverse.
- c.) Not determining that Plaintiff was in the path of the Bobcat before operating in reverse.
- d.) Refusing to operate the Bobcat without it being equipped with a backup camera.

22. As a direct and approximate result of the negligence of Defendant Rozier, plaintiff Nicholas Taylor has been caused to sustain the following damages to wit:

Plaintiff Nicholas Taylor sustained injuries to his right and left leg, right hip and left hip/thigh, low back and a crush injury to the right leg causing compartment syndrome with 3 surgical repairs including fasciotomies with placement of wound vacs, and incision and drainage procedures followed by a closure of the fasciotomy incisions; chronic right leg neuropathic pain syndrome with equinus contracture of the right foot; and left hip/thigh pain secondary to trochanteric bursitis, iliotibial band syndrome, and meralgia parenthesis secondary to abnormal weight bearing; plaintiff has incurred medical expenses to date and continues and will continue to incur medical

expenses for continuing care in the future; and plaintiff Nicholas Taylor's ability to work, labor, and enjoy life has been significantly impaired and diminished.

WHEREFORE plaintiff prays judgment against defendant Rozier in an amount which is fair and reasonable in excess of \$25,000.00 plus any further relief the Court deems just and proper.

COUNT V – LOSS OF CONSORTIUM

Comes now plaintiffs, Melinda Taylor and for Count V of her cause of action against defendants Clark Equipment Company, Sievers Equipment Company, and Brian Rosier and state as follows:

23. Plaintiff reincorporates and re-alleges paragraphs 1-22 of his petition as fully set forth herein.

24. At all times relevant Nicholas Taylor and Melinda Taylor had been in a married relationship.

25. As a direct and approximate result of defendants acts and omissions as stated above, plaintiff Melinda Taylor has suffered a loss of consortium including loss of affection, companionship, and conjugal rights.

WHEREFORE plaintiff prays judgment against defendants, and each of them, in an amount which is fair and reasonable in excess of \$25,000.00 plus any further relief the Court deems just and proper.

Respectfully submitted,

/S/Daniel T. Ryan
Daniel T. Ryan, #38744
Law Offices of Daniel T. Ryan
Attorney for Plaintiff
3008 Sutton Blvd., Suite 100
Maplewood, MO 63143
314.222.7717 / 314.932.2688 (facsimile)
dan@danryanlawoffice.com

ST. LOUIS COUNTY CIRCUIT COURT
STATE OF MISSOURI

NICHOLAS TAYLOR, et al.,

Plaintiffs,

V.

CLARK EQUIPMENT COMPANY,
D/B/A BOBCAT COMPANY, et al.,

Defendants.

)
)
)
)
)
)
)
)
)

Cause No. 21SL-CC04674

MEMO TO CLERK

Comes now Plaintiff and respectfully moves that a Summons be ordered to issue for the defendants listed below. Service fee of \$36.00 for both defendants have been paid.

**CLARK EQUIPMENT COMPANY,
D/B/A BOBCAT COMPANY,**

SERVE:

The Corporation Company
One South Central Ave.
Clayton, Missouri 63105

And

SIEVERS EQUIPMENT COMPANY

SERVE:

Business Filings International, Inc.
120 South Central Ave.
Clayton, Missouri 63105

Respectfully submitted,

/S/Daniel T. Ryan
Daniel T. Ryan, #38744
Law Offices of Daniel T. Ryan
Attorney for Plaintiff
3008 Sutton Blvd., Suite 100
Maplewood, MO 63143
314.222.7717 / 314.932.2688 (facsimile)
dan@danryanlawoffice.com



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: NANCY WATKINS MCLAUGHLIN	Case Number: 21SL-CC04674
Plaintiff/Petitioner: NICHOLAS TAYLOR	Plaintiff's/Petitioner's Attorney/Address DANIEL THOMAS RYAN SUITE 100 3008 SUTTON BOULEVARD MAPLEWOOD, MO 63143
Defendant/Respondent: CLARK EQUIPMENT COMPANY DBA: BOBCAT COMPANY	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Prod Liab	

**SHERIFF FEE
PAID**

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: CLARK EQUIPMENT COMPANY
DBA: BOBCAT COMPANY

THE CORPORATION COMPANY
ONE SOUTH CENTRAL AVE.
ST LOUIS, MO 63105

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.

10-JAN-2022

Date

Further Information:

AD

Joan P. Dilmy
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person at least 18 years of age residing therein.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00 _____

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

Twenty First Judicial Circuit

NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

Purpose of Notice

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

Your Rights and Obligations in Court Are Not Affected By This Notice

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

Alternative Dispute Resolution Procedures

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the “neutral,” who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

(1) Advisory Arbitration: A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator’s decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

(2) Mediation: A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

CCADM73

(3) Early Neutral Evaluation (“ENE”): A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

(4) Mini-Trial: A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

(5) Summary Jury Trial: A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

Selecting an Alternative Dispute Resolution Procedure and a Neutral

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 105 South Central Ave., 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

CCADM73

County Satellite Court Now Open in St. Ann

Hours: Mon-Fri 8:30 a.m. to 5:00 p.m. FREE PARKING

For the convenience of North County residents, a satellite branch of the St. Louis County Circuit Court is now open at the St. Louis County Government Center Northwest at the 715 Northwest Plaza Drive in St. Ann.

Attending Court Hearings Remotely using E-Courts

If you are scheduled to appear in court, you can access the courtroom remotely using the public computer stations (E-courts) in St. Ann and Clayton. These are available for use when courtroom access is restricted due to the pandemic.

Please note: Hearings for juvenile and paternity cases are confidential, and can only be accessed from the Clayton E-court at this time.

Be sure to bring your paperwork with you; you will need your case number, as well as the date, time and number of the Division where you are scheduled to appear.

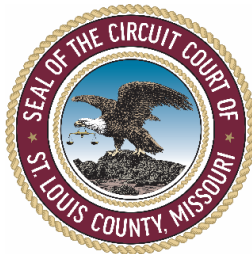
Filing Pleadings/New Petitions

If you are representing yourself, you may file your paperwork at the St. Ann satellite court, in addition to the Clayton courthouse, using the secure drop box located inside the Court reception area.

Filing Orders of Protection

Starting March 1, you may file for an Order of Protection at the Adult Abuse office in the St. Ann satellite court, in addition to the Clayton courthouse. Clerks will be available on-site to help you fill out and file the necessary paperwork.

For more information call: 314-615-8029





IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: NANCY WATKINS MCLAUGHLIN	Case Number: 21SL-CC04674
Plaintiff/Petitioner: NICHOLAS TAYLOR	Plaintiff's/Petitioner's Attorney/Address DANIEL THOMAS RYAN SUITE 100 3008 SUTTON BOULEVARD MAPLEWOOD, MO 63143
Defendant/Respondent: CLARK EQUIPMENT COMPANY DBA: BOBCAT COMPANY	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Prod Liab	

**SHERIFF FEE
PAID**

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: SIEVERS EQUIPMENT COMPANY

Alias:

BUSINESS FILINGS INTERNATIONAL
120 SOUTH CENTRAL AVE.
ST. LOUIS, MO 63105

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.

10-JAN-2022

Date

Further Information:

AD

Joan P. Dilmy
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person at least 18 years of age residing therein.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00 _____

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

Twenty First Judicial Circuit

NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

Purpose of Notice

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

Your Rights and Obligations in Court Are Not Affected By This Notice

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

Alternative Dispute Resolution Procedures

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the “neutral,” who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

(1) Advisory Arbitration: A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator’s decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

(2) Mediation: A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

CCADM73

(3) Early Neutral Evaluation (“ENE”): A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

(4) Mini-Trial: A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

(5) Summary Jury Trial: A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

Selecting an Alternative Dispute Resolution Procedure and a Neutral

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 105 South Central Ave., 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

CCADM73

County Satellite Court Now Open in St. Ann

Hours: Mon-Fri 8:30 a.m. to 5:00 p.m. FREE PARKING

For the convenience of North County residents, a satellite branch of the St. Louis County Circuit Court is now open at the St. Louis County Government Center Northwest at the 715 Northwest Plaza Drive in St. Ann.

Attending Court Hearings Remotely using E-Courts

If you are scheduled to appear in court, you can access the courtroom remotely using the public computer stations (E-courts) in St. Ann and Clayton. These are available for use when courtroom access is restricted due to the pandemic.

Please note: Hearings for juvenile and paternity cases are confidential, and can only be accessed from the Clayton E-court at this time.

Be sure to bring your paperwork with you; you will need your case number, as well as the date, time and number of the Division where you are scheduled to appear.

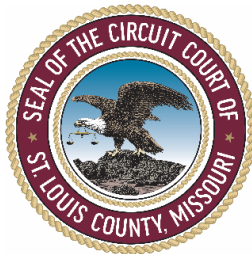
Filing Pleadings/New Petitions

If you are representing yourself, you may file your paperwork at the St. Ann satellite court, in addition to the Clayton courthouse, using the secure drop box located inside the Court reception area.

Filing Orders of Protection

Starting March 1, you may file for an Order of Protection at the Adult Abuse office in the St. Ann satellite court, in addition to the Clayton courthouse. Clerks will be available on-site to help you fill out and file the necessary paperwork.

For more information call: 314-615-8029





IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

RETURN

SB
2-9

Judge or Division: NANCY WATKINS MCLAUGHLIN	Case Number: 21SL-CC04674
Plaintiff/Petitioner: NICHOLAS TAYLOR	Plaintiff's/Petitioner's Attorney/Address DANIEL THOMAS RYAN SUITE 100 3008 SUTTON BOULEVARD MAPLEWOOD, MO 63143
Defendant/Respondent: CLARK EQUIPMENT COMPANY DBA: BOBCAT COMPANY	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Prod Liab	

SHERIFF FEE
PAID

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: CLARK EQUIPMENT COMPANY
DBA: BOBCAT COMPANY120 THE CORPORATION COMPANY
ONE SOUTH CENTRAL AVE.
ST LOUIS, MO 63105

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.

10-JAN-2022

Date

Further Information:
AD

Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person at least 18 years of age residing therein.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____☐ other _____

Served at _____

in _____

(County/City of St. Louis), MO, on 1-20-22 (date) at 9am (time).

Printed Name of Sheriff or Server

(Seal)

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____

My commission expires: _____

Date

Notary Public

FILED

JAN 21 2022

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

RETURN



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

SB
2-9

Judge or Division: NANCY WATKINS MCLAUGHLIN	Case Number: 21SL-CC04674
Plaintiff/Petitioner: NICHOLAS TAYLOR	Plaintiff's/Petitioner's Attorney/Address DANIEL THOMAS RYAN SUITE 100 3008 SUTTON BOULEVARD MAPLEWOOD, MO 63143
Defendant/Respondent: CLARK EQUIPMENT COMPANY DBA: BOBCAT COMPANY	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Prod Liab	

SHERIFF FEE
PAID

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: SIEVERS EQUIPMENT COMPANY

Alias:

BUSINESS FILINGS INTERNATIONAL
120 SOUTH CENTRAL AVE.
ST. LOUIS, MO 63105

COURT SEAL OF



ST. LOUIS COUNTY

30 CTCOR W

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739, email at SLCADA@courts.mo.gov, or through Relay Missouri by dialing 711 or 800-735-2966, at least three business days in advance of the court proceeding.

10-JAN-2022

Date

Further Information:
AD

Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person at least 18 years of age residing therein.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title)

☐ other _____

Served at Business Filings International (address)
in St. Louis (County/City of St. Louis), MO, on 1-20-22 (date) at 9am (time).

Printed Name of Sheriff or Server

(Seal)

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____

My commission expires: _____

Date

Notary Public

FILED

JAN 21 2022

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

1-18-22